

**REMARKS**

Applicants affirm the election of Group 1, claims 1-11. In view of the Examiner's earlier restriction requirement, Applicants retain the right to present claims 12-38 in a divisional application.

The Examiner objected to claim 10 because of the following informalities: "Claim 10-, line 4, includes 'attributes and events' should be 'attributer or events' to be consistent with other claim(s) limitations (s)." Applicants contend the Examiner's objection is moot in light of Applicants amendment of claim 10.

The Examiner rejected claims 2-5, 7-9 under 35 U.S.C. 112 (second paragraph).

The Examiner rejected claims 1-11 under 35 U.S.C. §102 (b) as being unpatentable over Friedman (US. 6,078,845).

Applicants respectfully traverse §112 (second paragraph) and §102 (b) rejections with the following arguments.

**35 USC § 112**

The Examiner rejected claims 2-5, 7-9 under 35 U.S.C §112, (second paragraph) stating "Claims 2-5, 7-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2, 5 and 7-9, recite the limitations 'said attribute or event data'. There is insufficient antecedent basis for this limitation in the claim due to the use of these limitations for the first time. Examiner has noticed that claim 1 indicates 'an attributes...or an event' but does not particularly 'data'. Dependent claims, which are not particularly rejected, are rejected based on the rejected base claim. Applicant is requested to review all claims and make appropriate correction as required."

Applicants contend that the Examiners rejection of claims 2-5, 7-9 under 35 U.S.C. 112, second paragraph are moot in light of Applicants amendments of 2-4, 7, and 9 and cancellation of claim 5. Applicants believe the rejection of un-amended claim 8 under 35 U.S.C. 112, second paragraph was not intended.

35 USC § 102

As to claim 1, the Examiner states that "Friedman teaches the invention including an apparatus, comprising: a product carrier adapted to transport product undergoing manufacture as shown in figures 2-3 and 7-9 product or IC carrier is adapted to transport product for various manufacturing environment (see, figures 2-4 and 7-9 and col. 2, lines 21-29), and a first device adapted to sense an attribute or an event data of an environment within said product carrier or an event affecting said product carrier is taught as the information storage device includes a data memory and may be any form of semiconductor component capable of being written to and read from by apparatus located in manufacturing equipment or along manufacturing lines (see, figures 10-11 and col. 2, lines 21-24)."

Applicants contend that claim 1, as amended, is not anticipated by Friedman because Friedman does not teach each and every feature of claim 1. As a first example Friedman does not teach "a first device adapted to sense an attribute of an environment within said product carrier." Applicants respectfully point Friedman teaches only recording of logistical or production control events and not sensing "an attribute of an environment within said product carrier" as Applicants claim requires. For example, Friedman teaches in col. 5, lines 10 - 20 specifically lot identification, wafer identification, location of the wafer for each device in the carrier, identification of specific process equipment, date and time stamps, operator identification, process step test or inspection results, process steps completed and remaining life of the carrier, none of which could be constructed as an "attribute of an *environment within said product carrier*."

As a second example, Friedman does not teach "a second device adapted to encode data relating to said attribute and to actively and wirelessly transmit said data." Applicants

respectfully point out that Friedman teaches(referring to Friedman FIG. 3) in col. 5, lines 35-40 "A electronic memory device 16 is encapsulated within the sidewalls 18 of the tray and electrical contacts 20 are present at the surface of the sidewall 18 to allow power and data communication between the device 16 and a reader (not shown) and again in col. 5, lines 58-60 "An electronic memory device 32 formed with contacts 34 the wall of the tube in the same manner as shown in the tray of FIG. 3". Clearly this device of Friedman are not intended to "wirelessly transmit said data" as Applicants claim requires. Further, Applicants point out that in col. 6, lines 28-31 that Friedman teaches "A memory device 88 is embedded in the base. No contacts are present here as communication is via a r.f. link using an inductive loop in the device 88 (a 'contactless' device)." This device Friedman cannot "actively transmit said data" as Applicants claim requires. An inductive loop is passive device (inductors as well as capacitors and resistors are passive devices) and emits a radio-frequency signal at a fixed single frequency only when it is moved through an external magnetic field. It is an external reader that actively reads the data encoded on the device.

Based on the preceding arguments, Applicants respectfully maintain that claim 1 is not unpatentable over Friedman and is in condition for allowance. Since claims 2, 3, 6-11 and 39-50 depend from claim 1, Applicants respectfully maintain that claims 2, 3, 6-11 and 39-50 are likewise in condition for allowance.

As to claim 2, the Examiner states that "further comprising: a second device adapted to receive said attribute or event data sensed by said first device and to transmit said attribute or event data is taught as the information storage device includes a data memory and may be any form of semiconductor component capable of being written to and read from by apparatus located

in manufacturing equipment or along manufacturing lines (see, figures 10-11 and col. 2, lines 21-24 and col. 5, lines 21-27)."

Applicants contend that claim 2, as amended, is not anticipated by Friedman because Friedman does not teach each and every feature of claim 2. As a first example Friedman does not teach "said second device includes a radio transmitter." Applicants respectfully point out Friedman does not teach "a radio transmitter" as applicants claim requires. Based on the preceding arguments, Applicants respectfully maintain that claim 2 is not unpatentable over Friedman and is in condition for allowance.

As to claim 10, the Examiner states that "Friedman teaches the apparatus wherein said attribute of said environment within said product carrier or an event affecting the product carrier is selected from the group of attributes and events consisting of temperature, pressure, humidity, particulate count, the presence of oxygen, hydrogen, chlorine, elemental gases, ammonia, water vapor, hydrogen fluoride, hydrogen chloride, nitrogen oxides, silanes, alcohols, ketones, esters, amines, solvents, chlorinated solvents and fluoridated solvents, the occurrence of vibration, acceleration and shock, the intrusion of visible light, ultra-violet light, infrared light and microwaves, and electromagnetic events and static electric charge buildup (see, abstract and figures 2-4 and 10-11 and col. 5, lines 4-53)."

Applicants contend that claim 10, as amended, is not anticipated by Friedman because Friedman does not teach each and every feature of claim 10. For example, Friedman does not teach "said attribute of said environment within said product carrier is selected from the group of attributes consisting of temperature, pressure, humidity, particulate count and the presence of a gas or vapor within said product carrier. Friedman is absolutely silent as to these attributes.

Based on the preceding arguments, Applicants respectfully maintain that claim 10 is not unpatentable over Friedman and is in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invite the Examiner to contact the Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

Respectfully submitted,  
FOR: Beaulieu et al.

Dated: 05/13/2005

BY: Jack P. Friedman  
Jack P. Friedman  
Reg. No. 44,688  
FOR:  
Anthony M. Palagonia  
Registration No.: 41,237

3 Lear Jet Lane, Suite 201  
Schmeiser, Olsen & Watts  
Latham, New York 12110  
(518) 220-1850  
Agent Direct Dial Number: (802)-899-5460